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Education Law May Hurt Bush

No Child Left Behind's Funding Problems Could Be '04 Liability

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FAIRLEA, W.Va. -- President Bush's No Child Left Behind education program -- acclaimed as a policy and political breakthrough by the Republicans in January 2002 -- is threatening to backfire on Bush and his party in the 2004 elections.

The signature education plan is pledged to improve the performance of students, teachers and schools with yearly tests and serious penalties for failure. Although many Republicans and Democrats are confident the system will work in the long run, Bush is being criticized in swing states such as West Virginia for not adequately funding programs to help administrators and teachers meet the new, and critics say unreasonable, standards.

Bush hoped to enhance his image as a compassionate conservative by making this education program one of the first and highest priorities of his administration. But he could find the law complicating his reelection effort, political strategists from both parties say, as some states report that as many as half or more of schools are failing to make the new grade and lack the money to turn things around promptly.

"It's way too soon to judge, but unfortunately in politics, people do judge, and that's why we have to keep pushing the message that we think" the law will greatly improve education, "but not overnight," said Republican Conference Chairman Deborah Pryce (Ohio), the top communications strategist for House Republicans.

David Winston, a pollster for congressional Republicans, said Bush and the GOP trail Democrats 50 percent to 36 percent on the education issue, a 14-point drop since the measure was signed in January 2002. The Democratic presidential candidates are criticizing the law on the campaign trail and are getting supportive responses.

On Capitol Hill, the fight over funding for No Child Left Behind is becoming a significant issue of the upcoming congressional elections, as Democrats blame Bush and congressional Republicans for shortchanging the law by billions of dollars.

The issue has particular resonance in such key states in the presidential election as Florida, Tennessee, Missouri and West Virginia, where nearly half or more of schools are not meeting the new benchmarks and where a few thousand votes could decide which presidential candidate wins each state in 2004. Swing voters, particularly married mothers, frequently cite education as among their chief concerns when deciding whom to support in presidential elections.

Since Democrats have championed Head Start and the Elementary and Secondary Education Act in the 1960s, voters have trusted them to do a better job of promoting education, mostly by pushing for a bigger federal role in education and greater funding for it. Democratic dominance on the issue came in the mid-1990s when Republicans, who considered education best handled at the local level, tried to abolish the Education Department, a huge political loser for the party.

In 1996, President Bill Clinton defeated Republican Robert J. Dole 78 percent to 16 percent among voters who considered education the most important issue of the day, exit polls showed.

As governor of Texas, candidate and then president, Bush has sought to change the party's image and fortunes on education policies by pushing for changes, tough standards, school choice and stiff penalties for failing schools and teachers. In 2000, he improved GOP standing with voters on education by touting this agenda, losing by eight points to Democrat Al Gore among those who cared most about education. By the time he signed No Child Left Behind last year, Bush had done the once-unthinkable: erased the Democrats' historical advantage on education, said Winston and many others who conduct polling on the topic.

"It's no surprise to me [Democrats are] taking their shots at this," said Rep. John A. Boehner (R-Ohio), a chief sponsor of the new law. "They owned this issue for decades and they refuse to accept [that] Republicans draw even with them among the electorate." Republicans say Bush has provided ample money to help states adopt new standards, devise new tests and help train teachers and administrators to adapt to the myriad changes.

But, Republicans also acknowledge that Bush and the GOP are losing their momentum on the issue, as the White House and Congress focus most of their attention on Iraq, the economy and jobs. "If we let [education] be defined by the opposing party, yeah, it will be a problem," said Winston, who attributed the falling poll numbers to the GOP's relative silence on the topic in recent months.

Republican National Committee Chairman Ed Gillespie said: "The Democrats are still the default party in this setting, unless we are out there pushing our message." He said he is not surprised the GOP is starting "to slide" on the issue because Bush is focused on other matters, but he predicted education would rebound into a "political" winner when the president and others start contrasting their plans for accountability and standards with the Democrats' demand for more money.

In recent memos, GOP leaders pleaded with House and Senate Republicans to spend more time discussing the benefits of the new education law. Bush has highlighted education at recent stops, but it was swamped by news reports about deaths in Iraq and job losses at home. He could face some potentially rough terrain next year, too.

While many governors praise the law's goals, budgetary problems at the state and federal levels make it highly likely the situation will worsen for Bush in 2004. For starters, the law requires states to raise the bar for success over the next 11 years, so each year it gets harder for schools to succeed.

With federal budget deficits nearing all-time highs and the tab for Iraq expected to grow, Bush and Congress are unlikely to provide the states with the billions of dollars they seek to quickly adapt to the new system.

Many states, including West Virginia, anticipate cutting spending on other programs next year to meet the law's demands, which will draw more attention to funding shortfalls right before the elections. Moreover, just as the campaign is heating up next year, states will be releasing second-year data on how many students and schools are making the grade.

Bush's tax cuts could complicate education issues, too. Many states, including West Virginia, link their tax rates to the federal government's, so Bush's recent rounds of cuts drained revenue from state coffers that otherwise would have helped fund education. Former Vermont governor Howard Dean, a leader in the race for the Democratic presidential nomination, frequently explains to voters that some local

governments also were forced to raise property taxes to pay for education and to account for the domino effect of the Bush tax cuts.

Consequently, Bush is being blamed for what Republicans railed against for years: slapping unfunded mandates on states that cannot afford them.

Bush and Republicans may try to share any blame with congressional Democrats, who generally supported the bill in the House and Senate. But Sen. Edward M. Kennedy (D-Mass.), whose support for the measure was crucial to its bipartisan passage, said it is up to Republicans now.

"The law made proven, effective reform a priority for all schools," Kennedy said. "To make it a reality, we must fund it."

House and Senate Democrats have tried unsuccessfully to provide billions of dollars in additional funding for programs that help states meet the new requirements. Republicans say states are getting more money than ever.

A quick tour of the problems facing West Virginia, a state Bush narrowly won, brings the national picture and looming problems into clearer focus.

About 45 percent of the state's 728 schools did not meet the new standards this year, according to recently released figures. In an interview, Gov. Robert E. Wise Jr. (D) blamed the Bush administration for denying the state tens of millions of dollars it needs to develop and implement the new test, build a new computer system to crunch and monitor the data, hire and train teachers and improve failing schools.

"I find it ironic . . . the party that talks about being opposed to unfunded mandates is giving us a very significant unfunded mandate," said Wise, whose state spends about 70 percent of its budget on education.

He added: "We are the poster child for trying to do it the Bush way." The state won quick approval of its new testing plan, shifted money around to help fund it and "gave our citizens full advantage of the Bush tax cuts even though the state took a hit."

The state's revenue dropped by about \$60 million for this fiscal year, state officials said, as it adjusted its code to reflect changes such as a reduction in estate taxes enacted by Bush. Now administrators, teachers and parents are wondering why more is not being done to fix the more than 300 schools that missed their targets.

"This is a massive public relations effort on the federal level that, in truth, is creating a crisis of confidence" in classrooms nationwide, West Virginia's Education Secretary Kay Goodwin, a Democrat, said in an interview. "In many ways, the process is onerous, and, it seems to me, in many ways quite unfair."

Staff writer Juliet Eilperin in Washington contributed to this report.

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